

Stakeholder Group Meeting

Thurston County Mineral Lands Project

Tuesday, September 19th, 2017

10:00am – 12:00pm

Thurston County Courthouse Complex

Building 1, First Floor, Room 152

2000 Lakeridge Dr. SW, Olympia

Designation Overview and Q&A

Allison Osterberg gave an overview presentation of the Mineral Resource Lands Designation process.

- Goal is to conserve mineral resources so that it is available in the future, while planning for new development and population growth.
- Meet GMA requirements for designating mineral lands.
 - o Previously, the County has only designated existing mining operations.
 - o Not how we will designate moving forward; must look at underlying geology and surrounding uses. Inventory phase has already been complete.
 - o Steps for this process include 1) Inventory & Classification, 2) Designation, 3) Conservation.
 - o Individual permitting is not part of the comprehensive plan update
- The County hired consultants complete the inventory and classification as well as provide a supply and demand analysis. This analysis states there is 6.1 Billion tons of resources in Thurston County and that, on average, use is 13.75 tons per capita per year.
 - o **Suggestions and Action Items:**
 - Look at supply and demand on a regional basis, including neighboring counties;
 - Determine if Thurston County is a net importer or a net exporter;
 - Some members suggest that projected demand is 5-6 times that of our projection. Review studies used by consultants to ensure accuracy of estimate, and request supporting information from Focus Group members.
- Designation Issues for consideration include: jurisdiction, minimum size, historic sites, resource lands, critical areas.
- Overarching question: Is it better to be (a) more inclusive of potential mineral lands at the designation state, and rely on the permitting process to exclude individual sites? Or (b) more exclusive in designation to provide a more realistic picture of where mining activities will actually be permitted?
 - o One concern is that relying on site-by-site regulations, as opposed to addressing it at the designation level, may weaken protection, leave the impression that mining is allowed where it isn't, or provide opportunity to request a permit. It is difficult to prove, at the site level, that a mining operation affects an entire species. Relying on the SEPA process puts a burden on the tribe (and other commenters) to show collective impacts on a permit-by-permit basis.
 - o Being more inclusive in designation also presents a false perception of how much land may actually be available for mining. May be easier to deny any individual permit, because there is an impression that there are many other available locations, when this

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might not be the case – dilutes the conservation of areas that truly have priority resources.

- On the contrary, excluding certain items from designation could result in some eligible areas being excluded.
- Overall, designation mapping should be reflective of where you could mine.
- Other criteria may include: aesthetics, time-of-travel, congestion, viewsheds, etc.

Review Draft Maps

Map 1 – Overarching Map

- Why the 1000 foot buffer? Should be looked at, defended.
- Include percentage of acreages that are being included/excluded for all maps.
- County minimum size is 5 acres, due to large amount of 5 acre parcels and desire not to exclude small landowners. Average size of mines in the state is 30 acres; hard to make a profit on smaller sites. State threshold for sites is 3 acres. The original stakeholder group wanted to ensure that small operators/landowners were not excluded – thus the 5-acre minimum.

Map 2 – Including Long Term Agriculture

- Use a different symbol to show inclusion, for ease of differentiation. Exclusion is hashed.
- What is the incompatibility between Long Term Agriculture and Mining? Forestry is compatible. Topsoil must stay on-site and when reclaimed goes back on.
- Recommend looking into reclamation of mining lands and returning to agriculture, potentially studies from Germany and other European countries.

Map 3 – Excluding Flood Zones and Wellhead Protection Areas

- Why is mining not compatible within a FEMA flood zone?
- Differentiate between 1- and 5-year wellhead protection areas.
- What happens if a new well comes in, and it overlaps a designated area? It would be remapped during an update, but what happens in the interim?

Map 4 – Excluding Steep Slopes and Landslide Hazard Areas

- Many steep slopes are caused by mining operations. Steep slopes along roadways are artificial, man-made. LIDAR Steep Slopes layer may not be accurately reflective.
 - Potentially, separate out steep slopes (remove criteria) from landslide hazard areas (retain criteria).
- Overall concerns on using steep slopes data at county-wide level, may be better for site by site cases.

Map 5 – Excluding Habitat Areas

- Add in other ESA habitat, such as salmon/Chinook. There is a designated site right along the Nisqually River, would potentially be protected for salmon.
- Why is Ag allowed on gopher lands, but not mining? Ag activities (existing and on-going) are permitted by the 4(d) rule in the Endangered Species Act.
- What is the excluded area around the Skookumchuck Lake?
- Add in existing HCP areas? Not including this could be misinforming, give people the impression they can mine where they can't.
- Review habitat for human projected development and look at designated areas near the UGA and cities; prioritize uses.

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Map 6 – Excluding Historic Sites

- Concern expressed that historic sites may be used to exclude a large swath of land. Historic sites are currently mapped as points, and this map shows them excluding at the parcel level. A buffer could be included.
- Are prehistoric/presettlement sites excluded? Could be excluded as a historic site, but not currently as a separate exclusion.
 - o Suggestion to call this “known historic sites” or “designated historic sites”
- Suggestions to keep this mapped at parcel level, or even site-specific.

Map 7 – Mima Mounds Analysis

- Ag can do work within Mima Mounds areas? Again, protected under the 4D rule. No new uses within Mima Mounds.

Discussion of Designation Options

- Jurisdictional criteria
 - o Ok with focus group
 - o Small designated areas near Rochester core could be excluded.
 - o Review the Nisqually NWR boundaries. Updated in 2010.
- LTA exclusion/inclusion
 - o Some support for inclusion
 - o Can agricultural soils be reclaimed (review studies)? What rules are there for doing this under DNR and SEPA? See DNR Regs – RCW 78.44
 - o Consider groundwater
- Wellhead Protection Areas
 - o Map/Consider Group B systems, if possible
 - o Review 1-, 5-, and 10-year
 - o Include High groundwater areas
- Steep Slopes and Landslide Hazard areas
 - o Some types of mining is not inconsistent with steep slopes (i.e., bedrock cliffs are stable and mined), and mining activities may create those slopes picked up by LiDAR
 - o Remove steep slopes as a criteria, but retain more accurate landslide data
- Habitat
 - o Include habitat for other species – Chinook salmon, Spotted Owl, state-listed species
- Historic sites
 - o Keep at the parcel or site scale
 - o Ensure archeological sites included
 - o Perhaps handle at permitting stage – just flag site then

Other suggestions

- Steer away from classifying materials. Someone may dig for an A1 and find it's a B2.
- Reflect what is truly available. Take what isn't available off, so that all applications for individual mining permits are treated equally.
 - o Pull out known areas, such as wellheads and habitat.
- Could look at and exclude utility corridors.

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- Stipulate reclamation on mining operations and how it is restored (policy stage), currently outlines in RCW 78.44
- Consider different types of mining
- Reach out to all original members of the stakeholder group
- If we send draft designation layer to DNR, they can overlay it with their known current resources

Next Steps

Input prior to Planning Commission Meeting (October 18)

- Comments by October 4 – not a comment period, just looking for feedback; there will be ample opportunities for more discussion, more planning commission meetings on MRL, and a formal comment period.